



REMARKS

Claim Rejections Under 35 U.S.C. § 112

Claims 1-12 were rejected under 35 U.S.C. § 112, paragraph two, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 has been amended to correct the antecedent problem, and claims 7 and 9 have been amended.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-12 were rejected under 35 U.S.C. § 102(b) as being anticipated by Treadwell (U.S. Patent No. 4,348,824). The Examiner states that, "Treadwell shows a first strap 50, second strap 52 and clips 62, 66." The Examiner does not address all of the claim elements of the claims in his rejection. In particular, no mention is made of the fact that claim 1 is for a foot strap on a tree stand, one of the portions is an arch portion, or the relative sizes of the straps. Also, with the newly amended claims, Treadwell clearly does not disclose an arch portion, or a second strap, that is of a size to fit around the arch of an associated user's foot. On page 2, paragraph 0029 of the published patent application states, "The arch portion 14, unlike the existing straps, is designed to go over the arch of the user's foot instead of the toes." All references in Treadwell are to the straps going over the toe of the user's foot, not the arch.

Claim Rejections Under 35 U.S.C. § 103

Claims 8 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Treadwell (U.S. Patent Number 4,348,824). As claims 8 and 10 depend from claims that are



believed to be in condition for allowance, the undersigned believes the 103 rejection is now moot.

Restriction Requirement

Restriction to one of the following inventions was required under 35 U.S.C. §121: Claims 1-12 and claims 13-17. The undersigned elected claims 1-12 in a telephone conversation on February 2, 2005. The election of claims 1-12 is affirmed without traverse.

CONCLUSION

Applicant now believes that this amendment complies with 37 CFR § 1.121 and thus requests examination of this Amendment. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

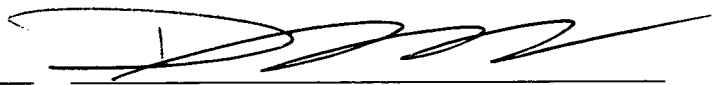
Respectfully submitted,

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